



Ebix Insurance No. S200001203

**REINSTATEMENT AND AMENDMENT NO. 1
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
YOSH ENTERPRISES, INC., DBA ORION SECURITY**

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Yosh Enterprises, Inc., dba Orion Security, a California corporation, (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

- A. The Parties previously entered into an agreement entitled "Agreement for the Performance of Services by and between the City of Santa Clara, California, and Yosh Enterprises, Inc., dba Orion Security", dated October 27, 2015 (the "Original Agreement");
- B. The termination of the Original Agreement, which terminated on September 30, 2018, is hereby revoked and, except as expressly modified by this Amendment No. 1, the Original Agreement shall be, and hereby is, reinstated in its entirety and shall be in full force and effect as if the same had never been terminated; and
- C. The Parties entered into the Original Agreement for the purpose of having Contractor provide security guard services, and the Parties now wish to amend the Original Agreement to increase the agreement amount by \$90,000.00 to a total not to exceed amount of \$295,750.00 and extend the term of agreement by one year to September 30, 2019.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AMENDMENT TERMS AND CONDITIONS

That Section 5 of the Original Agreement, entitled "Term of Agreement" is hereby amended to read as follows:

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on the Effective Date of this Agreement and terminate on September 30, 2019.

2. AMENDMENT TERMS AND CONDITIONS

That Exhibit B of the Original Agreement, entitled "Fee Schedule" is hereby amended to include the additional Exhibit B1 Fee Schedule, attached hereto and incorporated by this reference.

3. TERMS

All other terms of the Original Agreement which are not in conflict with the provisions of this Amendment No. 1 shall remain unchanged in full force and effect. In case of a conflict in the terms of the Original Agreement and this Amendment No. 1, the provisions of this Amendment No. 1 shall control.

4. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 1 as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

APPROVED AS TO FORM:

Approved as to Form:

Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

YOSH ENTERPRISES, INC., DBA ORION SECURITY
a California corporation

Dated: 10/4/18
By (Signature): *Yosh Gahramani*
Name: Yosh Gahramani
Title: CEO
Principal Place of
Business Address: 675 E. Gish Road, San Jose, CA 95112
Email Address: info@orionsecurity.com
Telephone: (408) 287-4411
Fax: (408) 287-4424

"CONTRACTOR"

Elix Insurance No. S200001203

**AGREEMENT FOR SERVICES
BETWEEN THE
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EXHIBIT B-1

FEE SCHEDULE

In no event shall the amount billed to City by Contractor for services under this Agreement exceed ninety thousand dollars (\$90,000.00), subject to budget appropriations.

SECURITY OFFICER	<u>REGULAR PAY RATE</u>	<u>REGULAR BILL RATE</u>	<u>OT & HOLIDAY RATE</u>
FULL TIME SECURITY OFFICER	\$18.50	\$30.16	\$45.23
PART TIME SECURITY OFFICER	\$17.00	\$27.71	\$41.57

Equipment charges:

One Smart Phone: \$59.99/month